

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1932**

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**Introduced by Assembly Member Hernandez**

February 17, 2010

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~~An act to amend Section 14136.8 of the Welfare and Institutions Code to add Article 5.7 (commencing with Section 14186) to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1932, as amended, Hernandez. Medi-Cal: ~~medical~~ *ambulance* transportation services.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which health care services, including medical transportation services, are provided to qualified low-income persons. The Medi-Cal program is partially governed and funded under federal Medicaid provisions. *Existing law and regulations prescribe various requirements governing payment policies and reimbursement rates for these services.*

~~Existing law prohibits reimbursement from being made for medical transportation services provided to Medi-Cal beneficiaries when the services are prescribed or ordered by a person who has a significant beneficial interest in the medical transportation services rendered unless the nature and extent of the interest have been disclosed, as specified.~~

~~This bill would make a technical, nonsubstantive change to the above-described provisions.~~

*This bill would enact the Ambulance Payment Reform Act of 2010, which would, notwithstanding any other provision of law, provide that*

*emergency basic life support and advanced life support services are covered under the Medi-Cal program when, as determined by the department, a patient could reasonably expect that an absence of immediate medical attention would result in significant adverse health effects, as provided. The bill would require the department to develop rates for specified emergency and nonemergency ambulance transportation services, but would prohibit these rates from exceeding the amount charged for these services to the general public.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. The Legislature finds and declares all of the*  
2     *following:*  
3     *(a) It is the intent of this act to ensure the provision of essential*  
4     *medically necessary emergency and nonemergency ambulance*  
5     *response and transportation services to the citizens of the State of*  
6     *California.*  
7     *(b) This act recognizes the vital role of ambulance services in*  
8     *the provision of quality health care and as a critical component*  
9     *of the public safety first response in times of natural or man-made*  
10    *disasters.*  
11    *(c) With the passage of the Emergency Medical Services System*  
12    *and the Prehospital Emergency Medical Care Personnel Act in*  
13    *1980, the intent of the Legislature has been to maintain and*  
14    *promote the development of EMT P paramedic programs where*  
15    *appropriate throughout the state and to initiate EMT II limited*  
16    *advanced life support programs only where geography, population*  
17    *density, and resources would not make the establishment of a*  
18    *paramedic program feasible.*  
19    *(d) This act will ensure the continued viability of EMS systems*  
20    *throughout the State of California by establishing payment*  
21    *definitions and policies for the Medi-Cal program, as related to*  
22    *ambulance services, that meet nationally recognized standards.*  
23    *(e) This act will establish Medi-Cal reimbursement rates for*  
24    *essential emergency and nonemergency ambulance services that*  
25    *would at a minimum cover the actual costs of providing services.*

SEC. 2. Article 5.7 (commencing with Section 14186) is added to Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, to read:

*Article 5.7. Ambulance Payment Reform Act of 2010*

14186. Notwithstanding any other provision of law, emergency basic life support and advanced life support services are covered under the Medi-Cal program, in accordance with Section 14186.1, when, as determined by the department, a patient could reasonably expect that an absence of immediate medical attention would do at least one of the following:

- (a) Place the person's health in serious jeopardy.
- (b) Create a serious impairment to bodily function.
- (c) Result in a serious dysfunction in any bodily organ or part.

14186.1. (a) Notwithstanding any other provision of law, reimbursement for emergency and nonemergency basic life and advanced life support transportation shall be made in accordance with this section, but at no time shall rates exceed charges made to the general public.

(b) Maximum reimbursement rates for ambulance transportation services shall be as follows:

Ground Mileage, Per Mile	\$_____
Advanced Life Support, Nonemergency Transport	\$_____
Advanced Life Support, Emergency Transport, Level 1	\$_____
Basic Life Support, Nonemergency Transport	\$_____
Basic Life Support, Emergency Transport	\$_____
Advanced Life Support, Level 2	\$_____
Specialty Care Transport	\$_____

(c) For purposes of this section, the following definitions shall apply:

(1) "Advanced Life Support, Level 2" means either one of the following:

1 (A) Transportation by ground ambulance vehicle, medically  
2 necessary supplies and services, and the administration of at least  
3 three medications by intravenous push/bolus or by continuous  
4 infusion, excluding crystalloid, hypotonic, isotonic, and hypertonic  
5 solutions such as dextrose, normal saline, and Ringer's solution.

6 (B) Transportation, medically necessary supplies and services,  
7 and the provision of at least one of the following advanced life  
8 support procedures:

9 (i) Manual defibrillation/cardioversion.

10 (ii) Endotracheal intubation.

11 (iii) Central venous line.

12 (iv) Cardiac pacing.

13 (v) Chest decompression.

14 (vi) Surgical airway.

15 (vii) Intraosseous line.

16 (2) "Specialty Care Transport" means interfacility  
17 transportation of a critically injured or ill beneficiary by a ground  
18 ambulance vehicle, including medically necessary supplies and  
19 services, at a level of service beyond the scope of an emergency  
20 medical technician-paramedic, as defined in Section 1797.84 of  
21 the Health and Safety Code. Specialty Care Transport is necessary  
22 when a beneficiary's condition requires ongoing care that must  
23 be furnished by one or more health professionals in an appropriate  
24 specialty area, including, but not limited to, nursing, emergency  
25 medicine, respiratory care, cardiovascular care, or a paramedic  
26 with additional training.

27 ~~SECTION 1. Section 14136.8 of the Welfare and Institutions~~  
28 ~~Code is amended to read:~~

29 ~~14136.8. No reimbursement shall be made for medical~~  
30 ~~transportation services provided pursuant to subdivision (i) of~~  
31 ~~Section 14132 when the services are prescribed or ordered by a~~  
32 ~~person who has a significant beneficial interest in the medical~~  
33 ~~transportation services rendered unless the nature and extent of~~  
34 ~~that interest have been disclosed in accordance with, and subject~~  
35 ~~to, Section 51466 of Title 22 of the California Code of Regulations.~~